IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

-

WRIT PETITION NO : 932 of 2004

Between:

P.V.Varghese (No.921150376), s/o P.V.Varghese,
Constable Driver Working in No.99 BN RAF, Hakimpet,

Secunderabad,
R/o Secunderabad .

..... PETITIONER

AND

1. The Director General of Police, Central Reserve Police Force,
   CGO Complex, Lodhi Road, New Delhi.
2. The Inspector General of Police, Rapid Action Force,
   RK Puram, New Delhi
3. The Deputy Inspector General of Police Rapid Action Force,
   RK Puram, New Delhi.
4. The Commandant, No.99 Batallion, RAF,
   Hakimpet, Secunderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring the signal message No.
T.IX-10/03-04-RAF, EC-II dated 14-01-2004 issued by the 3rd respondent as arbitary and illegal and consequently set aside the same and direct the 1st respondent to consider and retain the petitioner at 4th respondent Unit by cancelling/deferring the transfer orders issued vide Office Order No.T.IX-10/03-Pers.II, dated 4-11-2003 in so far as it relates to the transfer of the petitioner for a

period of one year, with all consequential benefits.

Counsel for the Petitioner: MR.V.JAGAPATHI

Counsel for the Respondents 1 to 4 : MR.A.RAJASHEKAR REDDY (SC FOR CG)

The Court made the following:

O R D E R:

The writ petition outlived its purpose. A representation was made by the petitioner before the authority concerned seeking to keep his transfer in abeyance for a period of six months since his wife was ill and suffering from Hepatitis-B infection.

When the representation of the petitioner was not considered, the present writ petition was filed questioning his transfer elsewhere. This Court by an interim order dated 19-01-2004 in WPMP No.1225 of 2004 directed the respondents to continue the petitioner in No.99 Battalion RAF Hakimpet, Secunderabad, pending disposal of the writ petition.

The respondents filed a detailed counter-affidavit along with vacate stay petition denying the allegations made by the petitioner. The learned counsel for the respondents submit that the writ petition outlived its purpose. The petitioner sought that he should be accommodated for a period of six months from the date of his transfer since his wife was unwell. This Court passed an interim order dated 19-01-2004 in WPMP.No.1225 of 2004 directing the petitioner to continue at Secunderabad. Now, it is more than ten months such an order was passed. Therefore, nothing survives in the writ petition.

The learned counsel for the petitioner however submits that we are in the middle of the academic year and the petitioner may be permitted

to stay at Secunderabad till the end of 31st March 2005.

Considering the above submissions, the respondents are directed to give effect to the impugned proceedings w.e.f.
01-04-2005.

With the above direction, the writ petition is disposed of. No order as to costs.

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26-11-2004.

To

1. The Director General of Police, Central Reserve Police Force,
   CGO Complex, Lodhi Road, New Delhi.

2. The Inspector General of Police, Rapid Action Force,
   RK Puram, New Delhi
3. The Deputy Inspector General of Police Rapid Action Force,
   R.K .Puram, New Delhi.
4. The Commandant, No.99 Batallion, RAF,
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